

Amendments to the Drawings:

A sheet including Figure 1 and Figure 2 has been amended. The sheet, which includes Figure 1 and Figure 2, replaces the sheet including Figure 1 and Figure 2. In Figure 1 and in Figure 2, the label "PRIOR ART" has been added.

Attachment: Replacement Sheet for Figure 1 and Figure 2

Annotated Sheet for Figure 1 and Figure 2

REMARKS

Claims 17-20 and 27-55 were previously pending in this patent application. Claims 17-20 and 27-34 were withdrawn from further consideration pursuant to 35 U.S.C. Section 121. Claims 35-55 stand rejected. Herein, Claims 17-20 have been cancelled. Claims 35 and 44-55 have been amended. Accordingly, after this Amendment and Response After Final Action, Claims 35-55 remain pending in this patent application. Further examination and reconsideration in view of the claims, remarks, and arguments set forth below is respectfully requested.

DRAWINGS

Figure 1 and Figure 2 are objected to because they are not labeled "PRIOR ART". In amended Figure 1 and in amended Figure 2, the label "PRIOR ART" has been added. No new matter was added.

CLAIM OBJECTIONS

Claim 47 is objected to because of an informality. Herein, Claim 47 has been amended to correct the informality.

Statement Pursuant to 35 U.S.C. Section 103(c) to Disqualify Patent

Present Patent Application No. 09/805,273 and U.S. Patent No. 6,074,956 (Yang) were, at the time the invention of present Patent Application No. 09/805,273 was made, owned by or subject to an obligation of assignment to the same person, Advanced Micro Devices, Inc.

The above statement alone is sufficient to disqualify U.S. Patent No. 6,074,956 (Yang) from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of present Patent Application No. 09/805,273 since U.S. Patent No. 6,074,956 (Yang) is only available as prior art under 35 U.S.C. Section 103 via 35 U.S.C. Section 102(e).

35 U.S.C. Section 102(e) Rejections

Claims 35, 38, 44, and 50 stand rejected under 35 U.S.C. 102(e) as being anticipated by Mui et al., U.S. Patent No. 6,037,265 (hereafter Mui). These rejections are respectfully traversed.

Independent Claim 35 recites:

A process for making a semiconductor structure comprising:
depositing a conductive layer upon **a substrate comprising a silicon oxide-silicon nitride-silicon oxide (ONO) layer**,
depositing a conductive adhesive layer between said substrate and said conductive layer, wherein said conductive adhesive layer has a minimum thickness required to provide adhesion between

said substrate and said conductive layer for a robust structure that can withstand subsequent processing; and

etching a portion of said conductive layer and a portion of said conductive adhesive layer utilizing a plasma, wherein said plasma comprises an etchant, wherein said etchant comprises one or more of the group consisting of chlorine and oxygen, wherein said plasma is ionized and sustained by a first RF source, and wherein said plasma is accelerated by a second RF source. (emphasis added)

It is respectfully asserted that Mui does not disclose the present invention as recited in Independent Claim 35. In particular, Independent Claim 35 recites the limitation "depositing a conductive layer upon *a substrate comprising a silicon oxide-silicon nitride-silicon oxide (ONO) layer*" (emphasis added). The Office Action (at page 8) states that Mui does not disclose the substrate comprising a silicon oxide-silicon nitride-silicon oxide (ONO) layer. Therefore, it is respectfully submitted that Independent Claim 35 is not anticipated by Mui and is in condition for allowance.

Further, U.S. Patent No. 6,074,956 (Yang) and Mui cannot be combined to reject Independent Claim 35 under 35 U.S.C. 103(a) as was done in the Office Action (at pages 8 -9) because U.S. Patent No. 6,074,956 (Yang) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of present Patent Application No. 09/805,273, as stated above. Hence, Independent Claim 35 is patentable over all the

references cited. Since dependent Claim 38 is dependent on Independent Claim 35, which is patentable over all the references cited, dependent Claim 38 is patentable over all the references cited for the reasons discussed above.

It is respectfully asserted that Mui does not disclose the present invention as recited in Independent Claim 44. In particular, Independent Claim 44 recites the limitation " depositing a conductive adhesive layer upon ***a substrate comprising a silicon oxide-silicon nitride-silicon oxide (ONO) layer***" (emphasis added). The Office Action (at page 8) states that Mui does not disclose the substrate comprising a silicon oxide-silicon nitride-silicon oxide (ONO) layer. Therefore, it is respectfully submitted that Independent Claim 44 is not anticipated by Mui and is in condition for allowance.

Further, U.S. Patent No. 6,074,956 (Yang) and Mui cannot be combined to reject Independent Claim 44 under 35 U.S.C. 103(a) as was done in the Office Action (at pages 8 -9) because U.S. Patent No. 6,074,956 (Yang) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of present Patent Application No. 09/805,273, as stated above. Hence, Independent Claim 44 is patentable over all the

references cited. Since dependent Claim 50 is dependent on Independent Claim 44, which is patentable over all the references cited, dependent Claim 50 is patentable over all the references cited for the reasons discussed above.

35 U.S.C. Section 103(a) Rejections

Claims 36-37, 39-43, 45-49, and 51 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mui et al., U.S. Patent No. 6,037,265 (hereafter Mui). These rejections are respectfully traversed.

As described above, Independent Claim 35 is patentable over Mui and is in condition for allowance. Further, U.S. Patent No. 6,074,956 (Yang) and Mui cannot be combined to reject Independent Claim 35 under 35 U.S.C. 103(a) as was done in the Office Action (at pages 8 -9) because U.S. Patent No. 6,074,956 (Yang) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of present Patent Application No. 09/805,273, as stated above. Hence, Independent Claim 35 is patentable over all the references cited. Since dependent Claims 36-37 and 39-43 are dependent on Independent Claim 35, which is patentable over all the references cited, dependent Claims 36-37 and 39-43 are patentable over all the references cited for the reasons discussed above.

As described above, Independent Claim 44 is patentable over Mui and is in condition for allowance. Further, U.S. Patent No. 6,074,956 (Yang) and Mui cannot be combined to reject Independent Claim 44 under 35 U.S.C. 103(a) as was done in the Office Action (at pages 8 -9) because U.S. Patent No. 6,074,956 (Yang) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of present Patent Application No. 09/805,273, as stated above. Hence, Independent Claim 44 is patentable over all the references cited. Since dependent Claims 45-49 and 51 are dependent on Independent Claim 44, which is patentable over all the references cited, dependent Claims 45-49 and 51 are patentable over all the references cited for the reasons discussed above.

Claims 52-55 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mui et al., U.S. Patent No. 6,037,265 (hereafter Mui), further in view of Yang et al., U.S. Patent No. 6,074,956 (hereafter Yang). These rejections are respectfully traversed.

It is respectfully asserted that Mui does not disclose the present invention as recited in Independent Claim 52. In particular, Independent

Claim 52 recites the limitation "depositing a polysilicon layer on ***a substrate comprising a silicon oxide-silicon nitride-silicon oxide (ONO) layer***" (emphasis added). The Office Action (at page 8) states that Mui does not disclose the substrate comprising a silicon oxide-silicon nitride-silicon oxide (ONO) layer. Therefore, it is respectfully submitted that Independent Claim 52 is patentable over Mui and is in condition for allowance.

Further, U.S. Patent No. 6,074,956 (Yang) and Mui cannot be combined to reject Independent Claim 52 under 35 U.S.C. 103(a) as was done in the Office Action (at pages 7-9) because U.S. Patent No. 6,074,956 (Yang) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of present Patent Application No. 09/805,273, as stated above. Hence, Independent Claim 52 is patentable over all the references cited. Since dependent Claims 53-55 are dependent on Independent Claim 52, which is patentable over all the references cited, dependent Claims 53-55 are patentable over all the references cited for the reasons discussed above.

CONCLUSION

It is respectfully submitted that the above claims, arguments and remarks overcome all rejections and objections. For at least the above-presented reasons, it is respectfully submitted that all remaining claims (Claims 35-55) are in condition for allowance.

The Examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,

Wagner, Murabito & Hao, LLP

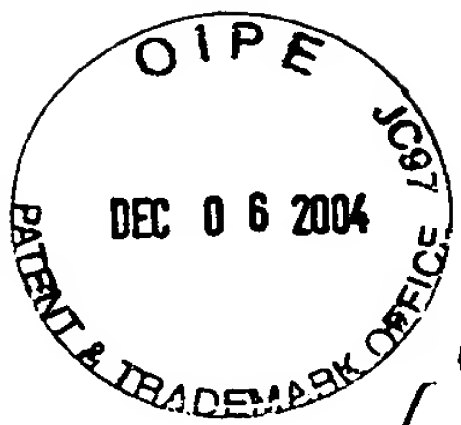
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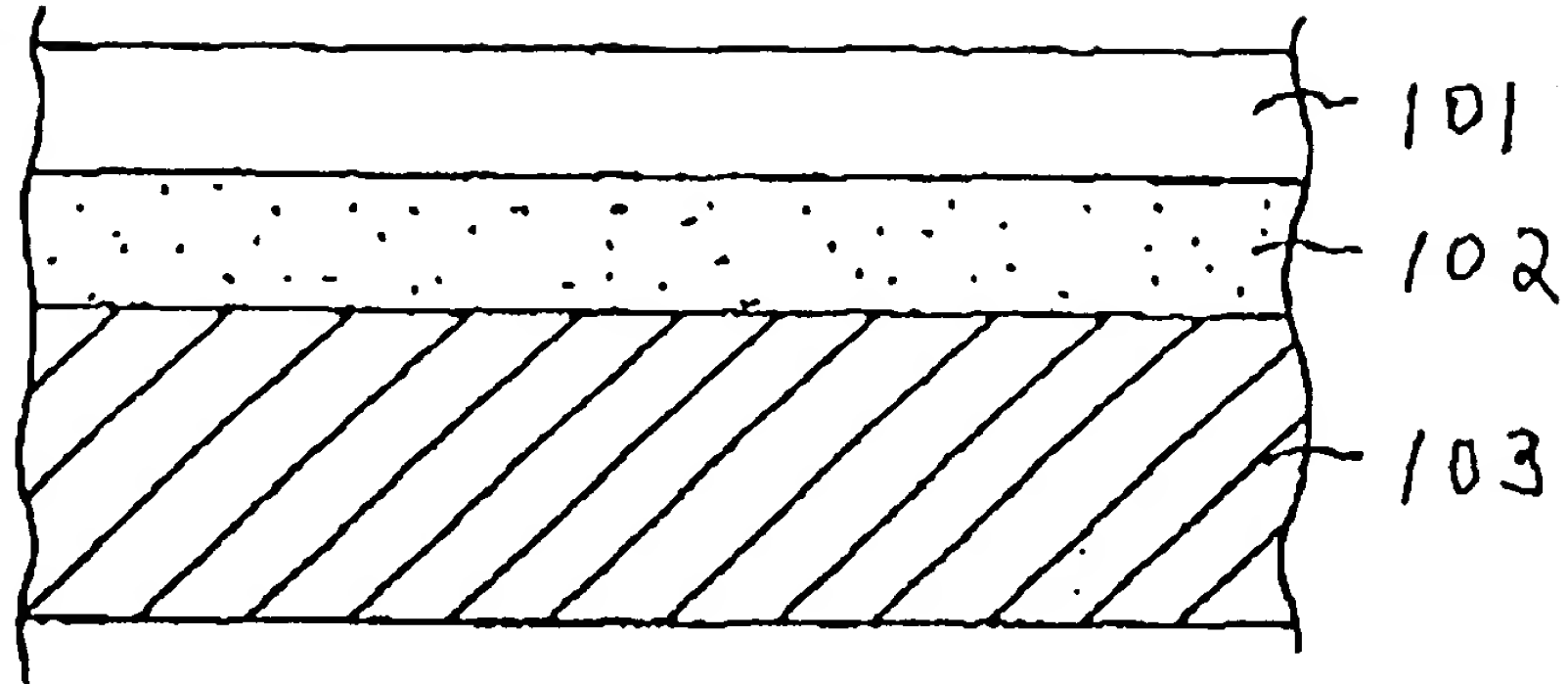
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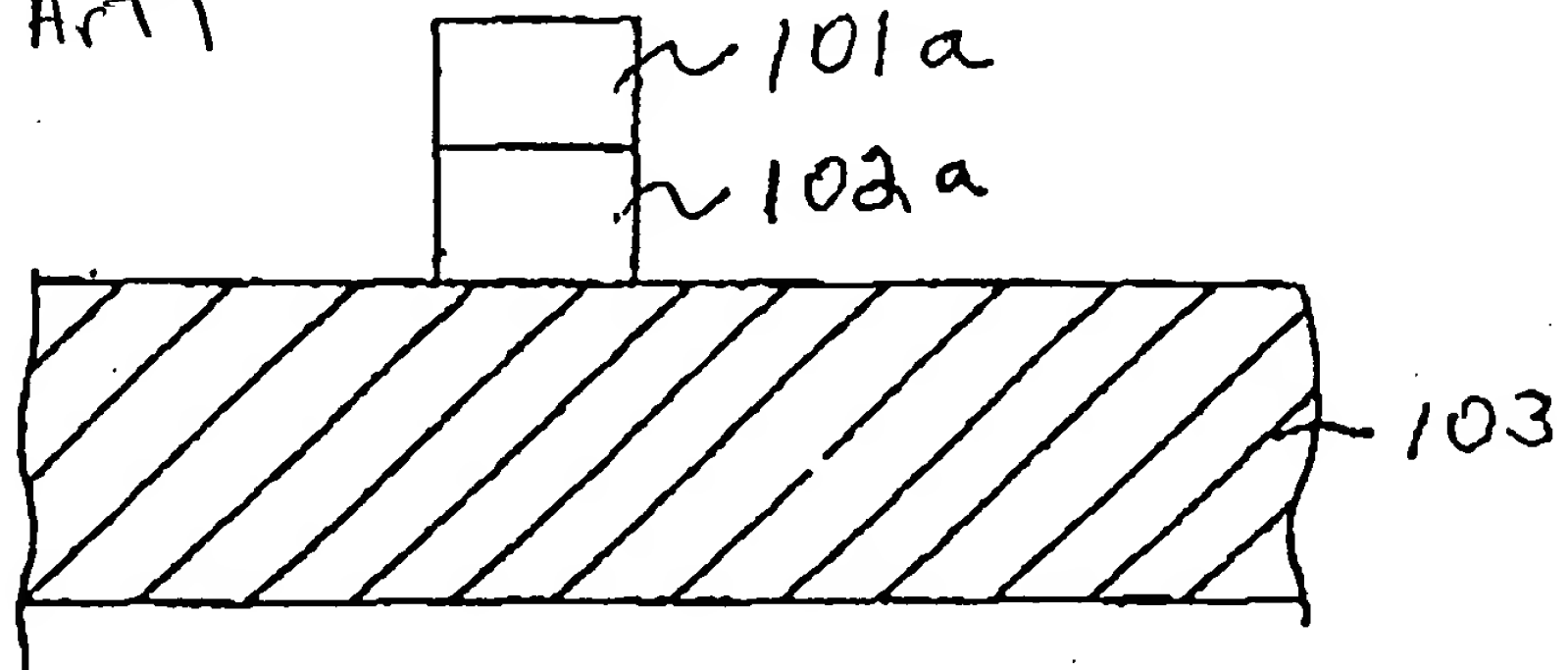
Added
↓
(Prior Art)

FIG. 1



added

FIG. 2
↓
(Prior Art)



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